

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., WEDNESDAY, JANUARY 22, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

PEOPLE'S DOCKET

No. 93038 - People State of Illinois, appellee, v. Montell Johnson, appellant.

Motion by appellant to appoint the Office of State Appellate Defender Capital Litigation Division as counsel for post-conviction proceedings. Motion denied without prejudice to seek appointment of counsel at the appropriate time in the circuit court if the petition is not dismissed pursuant to 725 ILCS 5/122-2.1.

Order entered by the Court.

No. 94721 - People State of Illinois, appellant, v. Eleanor Flowers, appellee.

Motion by appellant for an extension of time for filing brief to and including February 13, 2003. Motion allowed.

Order entered by Justice Kilbride.

CIVIL DOCKET

Nos. 93678 - Stephen Young, etc., et al., appellees, v. Bryco
93685 Arms, et al., appellants.
93728
Cons.

Motion by appellants for a stay of briefing and argument in this case pending a decision on the petition for leave to appeal filed in City of Chicago, et al. v. Beretta et al., No. 95253, on November 25, 2002. Motion allowed.

Order entered by Justice Freeman.

LEAVE TO APPEAL DOCKET

No. 95171 - Cleveland Myers, petitioner, v. La Vetta D. Williams et al., respondents.

Motion by petitioner, pro se, to grant petition for leave to appeal. Motion denied. The petition for leave to appeal remains pending.

Order entered by the Court.

No. 95175 - Robert Iuffues Webb II, petitioner, v. Thomas Giarrante et al., respondents.

Motion by petitioner, pro se, to grant petition for leave to appeal. Motion denied. The petition for leave to appeal remains pending.

Order entered by the Court.

No. 95504 - Karen M., respondent, v. James C., petitioner.

Motion by petitioner, pro se, for an extension of time to and including February 8, 2003, for filing petition for leave to appeal. Motion allowed.

Order entered by Justice Garman.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

ADVISEMENT DOCKET

No. 90320 - People State of Illinois, respondent, v. Sonia A. Williams, petitioner.

Motion by respondent for leave to file a response to petitioner's motion for release on appeal bond instant. Motion denied as moot.

Order entered by Justice Kilbride.

No. 94659 - Reginald Tyler, petitioner, v. S&M Auto Sales, respondent.

Motion by petitioner, pro se, for leave for reconsideration. Motion denied.

Order entered by Justice Freeman.

PEOPLE'S DOCKET

No. 92966 - People State of Illinois, appellant, v. Rayshun Pelt, appellee.

Motion by appellee for leave to cite additional authority instant. Motion allowed.

Order entered by Chief Justice McMorro.

No. 93830 - People State of Illinois, appellant, v. Kevin Phelps, appellee.

Motion by appellant for an extension of time for filing brief to and including January 24, 2003.
Motion allowed.

Order entered by Justice Freeman.

No. 93873 - People State of Illinois, appellee, v. Raymond Burgess, appellant.

Motion by appellant for an extension of time for filing brief to and including February 4, 2003.
Motion allowed.

Order entered by Justice Kilbride.

No. 93970 - People State of Illinois, appellant, v. Mariusz Sienkiewicz, appellee.

Motion by appellant for an extension of time for filing brief to and including February 19, 2003.

No. 94334 - People State of Illinois, appellant, v. Paul E. Botruff, appellee.

Motion by appellant for an extension of time for filing brief to and including January 29, 2003.
Motion allowed.

Order entered by Justice Kilbride.

No. 94641 - People State of Illinois, appellee, v. David A. Smith, appellant.

Motion by appellee for an extension of time for filing brief to and including March 6, 2003.
Motion allowed.

Order entered by Justice Freeman.

No. 94895 - People State of Illinois, appellant, v. Kingsley L. Carter, appellee.

Motion by appellant for an extension of time for filing brief to and including February 13, 2003. Motion allowed.

Order entered by Justice Kilbride.

CIVIL DOCKET

No. 94112 - Bill Krohe, appellee, v. City of Bloomington, etc., appellant.

Motion by Metropolitan Alliance of Police, Illinois Public Professional Firefighters' Association, Illinois Public Pension Fund Association, Rockford Police Officers, PB&PA Unit #6, Lisle Police Officers, PB&PA Unit #187 and Service Employees International Union, Local #73 for leave to appear and file a brief as amici curiae instant in support of appellee. Motion denied.

Order entered by Justice Garman.

No. 94754 - Darrell Courson, a Minor, etc., appellant, v. Danville School District No. 118, appellee.

Motion by appellant for leave to file brief instant.

No. 95476 - EvAngel YHWHnewBN, petitioner, v. Hon. Henry A. Budzinski, Judge of the Circuit Court of Cook County, et al., etc., respondents.

Motion by petitioner, pro se, to stay proceedings in the Circuit Court of Cook County in case No. 60P7390, Estate of John Chandler, and in case No. 01CH5299, Thomas v. Simmons-Young, pending disposition of the motion for leave to file a petition for an original writ of mandamus and all mandamus related issues.

No. 95483 - Herschel Glenn, petitioner, v. Hon. Joseph P. Tulley, Justice of the Appellate Court, et al., etc., respondents.

Motion by respondent People State of Illinois for an extension of time for filing response to movant's motion for a supervisory order to and including February 13, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 95552 - Helen Szlezak, Indv., etc., et al., respondents, v. Kevin L. Ramey etc., et al., respondents (Geneva Construction Company, movant).

Motion by movant to transfer case No. 02 AR 2196, State Farm Mutual Automobile Insurance Company v. Szlezak, from DuPage County to Kane County and to consolidate it with Kane County case No. 01 L 609, Szlezak v. Ramey.

LEAVE TO APPEAL DOCKET

No. 94469 - People State of Illinois, petitioner, v. Lorenzo Davis, respondent.

Motion by respondent for release on individual recognizance pursuant to Supreme Court Rule 604(a)(3) pending the disposition of the State's petition for leave to appeal, or, alternatively, a ruling on the State's petition for leave to appeal.

No. 95181 - Raintree Homes, Inc., et al., respondents, v. Village of Long Grove, petitioner.

Motion by the City of Chicago for leave to appear and file a brief as amicus curiae instant in support of petitioner.

No. 95538 - People State of Illinois, respondent, v. Modesto Echezarreta, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant and to allow Paul Morris to appear pro hac vice. Motion allowed.

Order entered by Justice Freeman.

No. 95551 - Donna Lee Gabriel, petitioner, v. Lyle B. Haskin et al., respondents.

Motion by petitioner for an extension of time to file petition for leave to appeal.

No. 95579 - People State of Illinois, respondent, v. Demetrius Rocquemore, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Freeman.

No. 95580 - Douglas E. Hurst, petitioner, v. Blake Weaver et al., etc., respondents.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including February 14, 2003. Motion allowed.

Order entered by Justice Garman.

MISCELLANEOUS RECORD

M.R.16373 - In re: David Lloyd Miller. Disciplinary Commission.

Petition of David Lloyd Miller for approval of transfer of law office pursuant to Supreme Court Rule 764(h).

M.R.17246 - In re: Terence Leon White. Disciplinary Commission.

Motion by Terence Leon White for an extension of time to and including January 23, 2003, to file his answer to the rule to show cause that issued on December 5, 2002.

M.R.18599 - In re: Nora A. Kersten, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Nora A. Kersten to Nora Kersten Walsh. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18600 - In re: Noelle Christine Dye, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Noelle Christine
Dye to Noelle Dye Brown. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18601 - In re: Linsey Nicole Brown, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Linsey Nicole Brown
to Linsey Nicole Cohen. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18602 - In re: Rebecca Leynaud Zywica, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Rebecca Leynaud
Zywica to Rebecca Marie Leynaud. Motion
allowed.

Order entered by Chief Justice McMorrow.

M.R.18604 - In re: Mary Ann MacLaughlan, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Mary Ann
MacLaughlan to Mary Ann Weicher. Motion
allowed.

Order entered by Chief Justice McMorrow.

M.R.18606 - In re: Barbara Elaine Snow, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Barbara Elaine Snow
to Barbara Snow Mirdo. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18607 - In re: Dorothy Elizabeth Larkin, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Dorothy Elizabeth
Larkin to Dorothy Larkin Young. Motion
allowed.

Order entered by Chief Justice McMorrow.

M.R.18608 - In re: Kathleen Marie Hill, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Kathleen Marie Hill
to Kathleen Marie McNamara. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.18609 - In re: Aundrea Kristine Gulley, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Aundrea Kristine
Gulley to Aundrea Kristine Frieden. Motion
allowed.

Order entered by Chief Justice McMorrow.

M.R.18611 - In re: Colleen Connors Butler, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Colleen Connors
Butler to Colleen Connors. Motion allowed.

Order entered by Chief Justice McMorrow.

SUPREME COURT OF ILLINOIS

WEDNESDAY, JANUARY 22, 2003

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.18149 - In re: Michael Craig Sachs. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$882.50 are assessed against Michael Craig Sachs, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$882.50 is entered for the Attorney Registration and Disciplinary Commission and against Michael Craig Sachs.

Order entered by the Court.

M.R.18162 - In re: Christian Jay Baril. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Christian Jay Baril, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Christian Jay Baril.

Order entered by the Court.

M.R.18253 - In re: Steven Andrew Maples. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Steven Andrew Maples, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Steven Andrew Maples.

Order entered by the Court.

M.R.18268 - In re: Michael Gregory Johnson. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Michael Gregory Johnson, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Michael Gregory Johnson.

Order entered by the Court.

M.R.18294 - In re: Timothy Lawrence Donaho, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$410.60 are assessed against Timothy Lawrence Donaho, Jr., and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$416.60 is entered for the Attorney Registration and Disciplinary Commission and against Timothy Lawrence Donaho, Jr.

Order entered by the Court.

M.R.18297 - In re: Calvin Hultquist. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Calvin Hultquist and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Calvin Hultquist.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

WEDNESDAY, JANUARY 22, 2003

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Order entered by the Court.

M.R.18162 - In re: Christian Jay Baril. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for costs pursuant to Supreme Court Rule 773 is allowed. Costs in the amount of \$1,000 are assessed against Christian Jay Baril, and he is directed to pay the costs in full to the Attorney Registration and Disciplinary Commission within 30 days of the entry of this order.

Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Christian Jay Baril.

Order entered by the Court.

M.R.18253 - In re: Steven Andrew Maples. Disciplinary Commission.

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Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Steven Andrew Maples.

Order entered by the Court.

M.R.18268 - In re: Michael Gregory Johnson. Disciplinary Commission.

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Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Michael Gregory Johnson.

Order entered by the Court.

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Judgment in the amount of \$1,000 is entered for the Attorney Registration and Disciplinary Commission and against Calvin Hultquist.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

WEDNESDAY, JANUARY 22, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

PEOPLE'S DOCKET

No. 95506 - People ex rel. Richard A. Devine, etc., movant, v. Hon. Joseph Gordon, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order. Motion denied.

Order entered by the Court.

CIVIL DOCKET

No. 95476 - EvAngel YHWHnewBN, petitioner, v. Hon. Henry A. Budzinski, Judge of the Circuit Court of Cook County, et al., etc., respondents.

Motion by petitioner for leave to file a petition for an original writ of mandamus. Motion denied.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

WEDNESDAY, JANUARY 22, 2003

IN EACH OF THE FOLLOWING CASES, THE COURT ENTERED THE ORDER
CONTAINED ON PAGE 4 OF THIS ANNOUNCEMENT:

- No. 82536 - People State of Illinois, appellee, v. Jeffrey D. Rissley, appellant. Appeal, Circuit Court (Bureau).
- Nos. 84062 - People State of Illinois et al., appellants, v.
84063 Renaldo Hudson et al., appellees. Appeal, Circuit
Cons. Court (Cook).
- Garman, J., took no part.
- No. 84417 - People State of Illinois, appellee, v. Paul E. Taylor, appellant. Appeal, Circuit Court (Williamson).
- No. 84602 - People State of Illinois, appellee, v. Edgar Hope, appellant. Appeal, Circuit Court (Cook).
- No. 84689 - People State of Illinois, appellee, v. Stanley Howard, appellant. Appeal, Circuit Court (Cook).
- No. 84933 - People State of Illinois, appellee, v. Keith Shum, appellant. Appeal, Circuit Court (Cook).
- No. 85053 - People State of Illinois, appellee, v. Milton Johnson, appellant. Appeal, Circuit Court (Will).
- No. 86382 - People State of Illinois, appellee, v. Edward Graham, appellant. Appeal, Circuit Court (Cook).
- No. 87138 - People State of Illinois, appellee, v. James L. Westray, appellant. Appeal, Circuit Court (Williamson).
- No. 87645 - People State of Illinois, appellee, v. Richard Morris, appellant. Appeal, Circuit Court (Cook).
- No. 87957 - People State of Illinois, appellee, v. Maurice McDonald, appellant. Appeal, Circuit Court (Cook).
- No. 87958 - People State of Illinois, appellee, v. Corey Moore, appellant. Appeal, Circuit Court (Cook).
- No. 88105 - People State of Illinois, appellee, v. Anton Brown, appellant. Appeal, Circuit Court (Cook).
- No. 88784 - People State of Illinois, appellee, v. Juan Caballero, appellant. Appeal, Circuit Court (Cook).
- No. 89214 - People State of Illinois, appellee, v. Bernina Mata, appellant. Appeal, Circuit Court (Boone).
- No. 89226 - People State of Illinois, appellee, v. Cortez Brown, appellant. Appeal, Circuit Court (Cook).

- No. 89408 - People State of Illinois, appellee, v. Joseph R. Miller, appellant. Appeal, Circuit Court (Peoria).
- No. 89435 - People State of Illinois, appellee, v. Anthony Brown, appellant. Appeal, Circuit Court (Cook).
- No. 89458 - People State of Illinois, appellee, v. Roosevelt Lucas, appellant. Appeal, Circuit Court (Livingston).
- No. 89553 - People State of Illinois, appellee, v. Raul Ceja, appellant. Appeal, Circuit Court (DuPage).
- No. 89942 - People State of Illinois, appellee, v. Bobby Sims, appellant. Appeal, Circuit Court (Cook).
- No. 90072 - People State of Illinois, appellee, v. Robert Lee Evans, Jr., appellant. Appeal, Circuit Court (Macon).
- No. 90137 - People State of Illinois, appellee, v. Elton Williams, appellant. Appeal, Circuit Court (Will).
- No. 90394 - People State of Illinois, appellee, v. James Tenner, appellant. Appeal, Circuit Court (Cook).
- No. 90523 - People State of Illinois, appellee, v. Thomas L. Umphrey, appellant. Appeal, Circuit Court (Sangamon).
- No. 90631 - People State of Illinois, appellee, v. Chris Davis, appellant. Appeal, Circuit Court (Cook).
- No. 90861 - People State of Illinois, appellee, v. Gabriel Solache, appellant. Appeal, Circuit Court (Cook).
- No. 91349 - People State of Illinois, appellee, v. Ralph Harris, appellant. Appeal, Circuit Court (Cook).
- No. 91436 - People State of Illinois, appellee, v. Tyrone Strickland, appellant. Appeal, Circuit Court (Cook).
- No. 91512 - People State of Illinois, appellee, v. Ralph Harris, appellant. Appeal, Circuit Court (Cook).
- No. 91713 - People State of Illinois, appellee, v. Eric Daniels, appellant. Appeal, Circuit Court (Champaign).
- No. 91724 - People State of Illinois, appellee, v. JoJulien Z. Hicks, appellant. Appeal, Circuit Court (Jefferson).
- No. 91904 - People State of Illinois, appellee, v. Grayland Johnson, appellant. Appeal, Circuit Court (Cook).

- No. 92033 - People State of Illinois, appellee, v. Dennis Emerson, appellant. Appeal, Circuit Court (Cook)
- No. 92143 - People State of Illinois, appellant, v. Ronald Kliner, appellee. Appeal, Circuit Court (Cook).
- No. 92186 - People State of Illinois, appellee, v. Oasby Gilliam, appellant. Appeal, Circuit Court (Jefferson).
- No. 92252 - People State of Illinois, appellee, v. Maurice King, appellant. Appeal, Circuit Court (Kane).
- No. 92843 - People State of Illinois, appellee, v. Samuel Morgan, appellant. Appeal, Circuit Court (Cook).
- No. 93038 - People State of Illinois, appellee, v. Montell Johnson, appellant. Appeal, Circuit Court (Macon).
- No. 93309 - People State of Illinois, appellee, v. Frank Williams, appellant. Appeal, Circuit Court (Cook).
- No. 93368 - People State of Illinois, appellee, v. Luther V. Casteel, appellant. Appeal, Circuit Court (Kane)
- No. 93456 - People State of Illinois, appellee, v. Robert L. Fair, appellant. Appeal, Circuit Court (Cook).
- No. 93693 - People State of Illinois, appellee, v. Lorenzo Fayne, appellant. Appeal, Circuit Court (St. Clair).
- No. 93705 - People State of Illinois, appellee, v. William Riley, appellant. Appeal, Circuit Court (Cook).
- No. 93843 - People State of Illinois, appellee, v. Henry Watson, appellant. Appeal, Circuit Court (Cook).
- No. 93850 - People State of Illinois, appellee, v. Samuel Karim, appellant. Appeal, Circuit Court (Cook).
- No. 93873 - People State of Illinois, appellee, v. Raymond Burgess, appellant. Appeal, Circuit Court (Henry).
- No. 94641 - People State of Illinois, appellee, v. David A. Smith, appellant. Appeal, Circuit Court (Cook).
- No. 94669 - People State of Illinois, appellee, v. Madison Hobley, appellant. Appeal, Circuit Court (Cook).
- No. 95137 - People State of Illinois, appellee, v. Andrew Urdiales, appellant. Appeal, Circuit Court (Cook).

- No. 95201 - People State of Illinois, appellee, v. Marlon Watford, appellant. Appeal, Circuit Court (Kankakee).
- No. 95424 - People State of Illinois, appellee, v. Daniel E. Raines, appellant. Appeal, Circuit Court (Macon).
- No. 95563 - People State of Illinois, appellee, v. Dale Lash, appellant. Appeal, Circuit Court (Sangamon).
- No. 95588 - People State of Illinois, appellee, v. Robert K. Jones, appellant. Appeal, Circuit Court (Jo Daviess).

On the Court's own motion, in light of Governor Ryan's January 10, 2003 commutation of the death sentence in the above-captioned cause, counsel may, within 30 days of the issuance of this order, file with this Court any motion deemed appropriate, including but not limited to the Supreme Court's continued jurisdiction in this cause.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, WEDNESDAY, JANUARY 22, 2003

No. 93220 - John Beahringer, appellee, v. James H. Page et al., appellants. Appeal, Appellate Court, Third District.

Oral argument by Brian F. Barov for appellants and by Colleen E. Young for appellee. Submitted. Agenda 10.

No. 93347 - Illinois Education Association, etc., appellant, v. Illinois State Board of Education, appellee. Appeal, Appellate Court, Fourth District.

Oral argument by Ralph H. Loewenstein for appellant and by Brian F. Barov for appellee. Submitted. Agenda 11.

No. 93687 - Nicholas Vincencio, appellee, v. Lincoln-Way Builders, Inc., etc., appellant. Appeal, Appellate Court, Third District.

Oral argument by Lloyd E. Dyer for appellant and by Katherine A. Cardenas for appellee. Submitted. Agenda 12.

Nos. 93710 - William Dawdy, Jr., et al., appellees, v. Union
94144 Pacific Railroad Company et al., appellants.
cons. Appeal, Appellate Court, Fifth District.

Oral argument by Edward M. Crane and Thomas E. Jones for appellants and by Gail G. Renshaw and John W. Hoffman for appellees. Submitted. Agenda 13.